

II. b. Promotion policies in effect. For many years the Agency has operated under a policy of competitive selection for promotion.

(1) Policy

(a) The promotion of employees is based on competitive evaluation of their performance, qualifications, length of service, and value to the Agency. Employees who have been downgraded without personal cause are given full consideration for promotion to their original grade when competitive evaluations are being made.

(b) Each Career Service comprises a competitive area for promotion for members of that service. The Head of a Career Service may establish separate areas of competition within that service when necessary because of differences in occupation or functional lines of work performed by its personnel.

(c) Promotions are limited to one-grade advancements. Exceptions to this policy are made only when the Director of Personnel determines, upon recommendation of the Head of the Career Service concerned, that exception is justified.

(2) Procedures

(a) Promotion recommendations are submitted in accordance with instructions and time schedules prescribed by the Heads of Career Services. Promotion recommendations are not made on Fitness Reports.

(b) The competitive promotion evaluation of personnel in grades GS-9 through GS-14 is accomplished by the Heads of Career Services at least annually.

(c) Employees in grades GS-8 and below are evaluated for the purpose of promotion whenever the Heads of Career Services consider it appropriate. Although formal competitive evaluation is not required for these personnel, the basic principle of competitive evaluation is followed in selecting them for promotion.

c. Removal bases and procedures in effect. The Agency manages removals separately as they are concerned either with the separation of surplus personnel or with the involuntary separation of individuals.

(1) Separations of surplus personnel are accomplished under the authority of Section 102c of the National Security Act of 1947 as amended under procedures by which an Agency employee may be declared excess to manpower needs of his Directorate or Independent Office, declared surplus to the Agency, and thereafter terminated.

(a) When a Deputy Director or Head of an Independent Office determines that an employee is excess to the manpower requirements of his directorate or independent office, he so notifies the employee in writing. In making this determination he considers current and anticipated manpower requirements as well as the employee's performance, nature of service, qualifications, and grade.

(b) The Deputy Director or Head of an Independent Office forwards any declaration made pursuant to subparagraph (a) above to the Director of Personnel who informs the employee in writing of his right to submit within 10 days a request to be heard orally by an appropriate officer of the Office of Personnel or to state in writing to the Director of Personnel why he should not be declared excess to his directorate or independent office or to provide any other information he deems relevant. After appropriate review including consideration of any statements or any information provided by the employee, the Director of Personnel may request the Deputy Director or Head of an Independent Office to reconsider the declaration of an employee as excess.

(c) The Director of Personnel reviews the qualifications and background of an employee declared excess to the manpower requirements of a directorate or independent office with a view toward placing him elsewhere in the Agency at the same or different grade. As part of this review process, the employee is interviewed by an appropriate officer of the Office of Personnel.

(d) If the Director of Personnel is unable to assign elsewhere in the Agency an employee who has been declared excess to the manpower requirements of a directorate or independent office, he recommends to the Director of Central Intelligence that he (1) declare the employee surplus to the Agency; (2) terminate the employee's

employment, utilizing his authority under section 102(c) of the National Security Act of 1947, as amended; and (3) establish the effective date of such termination. The Director of Personnel shall notify the employee in writing of this action and of the employee's right to present through the Director of Personnel to the Director of Central Intelligence within 10 days any information in writing concerning why his employment should not be terminated and any other information he deems relevant.

(e) Upon receipt of a recommendation by the Director of Personnel to declare an employee surplus to the Agency, to terminate his employment, and to establish the effective date of such termination, the Director of Central Intelligence may take one or more of the following actions:

(1) Refer the recommendation to the Inspector General, who shall consider it and forward his own recommendation to the Director of Central Intelligence.

(2) Declare the employee surplus to the Agency, terminate his employment pursuant to section 102(c) of the National Security Act of 1947, as amended, and establish the effective date of such termination. Such effective date shall be not less than 30 days after the Director of Central Intelligence has taken action to terminate his employment.

(3) Disapprove in whole or in part the recommendation of the Director of Personnel.

(f) The Director of Personnel shall notify the employee in writing of the decision of the Director of Central Intelligence.

(g) The provisions of this paragraph do not limit in any way the authority of the Director of Central Intelligence under section 102(c) of the National Security Act of 1947, as amended, and as implemented by HR Further, this paragraph shall not affect the responsibility and authority of the Director of Central Intelligence to remove, demote, or reassign any employee whose conduct or performance warrants such action. STATINTL

(2) Involuntary separations fall into two broad categories:

(a) All those situations leading to a determination by the Agency of unsuitability of the employee such as failure to meet the work and efficiency requirements of the Agency, failure during the initial twelve-month trial period to demonstrate the

qualifications required for regular assignment, failure of a Career-Provisional Employee to meet career employment standards at the completion of the provisional period, failure to meet Agency security standards, inability to meet Agency medical standards, abandonment of position, insubordination, inattention to duty, poor attendance, misuse of official funds, a criminal act, personal misconduct, or other evidence of unsuitability; and,

(b) Those situations where the separation is made for the benefit of the Agency without involving unsuitability of the employee concerned, such as in subparagraphs (d) (6) and (7) below.

~~(c)~~ Policy. Involuntary separations will normally be effected in accordance with the procedures suggested below. These should be followed insofar as they are practicable, but it is recognized that there may be circumstances in any one case that make these procedural steps impractical or undesirable, and in such situations the case will be handled in a manner conforming to those circumstances. Furthermore, in order to meet the exacting responsibilities placed upon the Agency and pursuant to his statutory authority, the Director of Central Intelligence may separate any employee immediately and without regard to any suggested procedural steps when he deems it necessary or advisable in the interests of the United States.

(d) Criteria.

(1) Work and Efficiency. An employee who fails to meet the work and efficiency requirements of his Career Service or fails to adequately perform the duties of the position to which he is assigned should be considered for separation from that Career Service and possibly the Agency. If the Deputy Director or Head of Career Service having jurisdiction concludes that the individual should be separated from the particular CareerService, he will forward the case with all pertinent documentation to the Director of Personnel for further processing as set forth in subparagraph (f) below.

(2) The First-Year Trial Period. Deputy Directors and Heads of Career Services are responsible for identifying employees under their jurisdiction who do not successfully complete the first-year trial period. The Deputy Director or Head of Career Service, or his representative, will notify the Director of Personnel before the close of the first-year trial period when an employee has failed to meet the applicable employment standards. (See HR)

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(3) The Three-Year Provisional Period. Heads of Career Services are responsible for evaluating the suitability of each Career-Provisional Employee who is otherwise eligible for conversion to Career Employee status and, with the approval of the Deputy Director concerned, for recommending termination of the employee's Career-Provisional appointment or employment if he has failed to meet the applicable career employment standards. (See HR [] and HR []) STATINTL

(4) Security and Medical Standards. The Director of Security and the Director of Medical Services will make appropriate recommendations to the Director of Personnel when an employee does not meet Agency security or medical standards.

(5) Standards of Conduct. The Agency standards of employee conduct are prescribed in HR [] Deputy Directors will ensure that appropriate officials take or initiate corrective or disciplinary action as necessary or, if warranted, forward a recommendation for separation to the Director of Personnel if an employee fails to meet Agency standards of conduct. Whenever the Director of Personnel is informed that an employee has failed to meet Agency standards of conduct, he will, if the matter is of a serious nature, review the case with the Deputy Director concerned and, as appropriate, the Head of the employee's Career Service. He may, in coordination with the Deputy Director concerned, conduct an investigation if this is required. If the Director of Personnel concludes that the individual should be separated, he will forward his recommendation with appropriate documentation through the Deputy Director concerned and the Head of the employee's Career Service to the Director of Central Intelligence. STATINTL

(6) Selection Out. It is the policy of the Agency to improve the over-all level of employee performance by separating those employees whose qualifications and potential are low in comparison with those of other employees of the same grade and occupational category. Heads of Career Services, with the approval of the Deputy Director concerned, are responsible for recommending the separation of personnel under their jurisdiction.

(7) Other. In addition to (1) through (6) above, employees may be terminated upon a finding by the Director of Central Intelligence that such termination is necessary and advisable in the interest of the Agency or for such other reasons as the Director may find will advance the efficiency of the Agency.

(e) Responsibilities

(1) Heads of Career Services or Deputy Directors. Heads of Career Services or Deputy Directors are responsible for identifying employees under their jurisdictions who should be considered for separation. They or their designated representatives will review each case with the Director of Personnel or his designated representative and, when deemed appropriate, recommend to the Director of Personnel termination of the individual's employment.

(2) Director of Security. When warranted by the information available to him, the Director of Security, after notifying the Deputy Director concerned, will recommend to the Director of Personnel the termination of the employment of an Agency employee and advise the Director of Personnel of the security factors bearing on the recommended separation. When the Director of Security considers the sensitivity of an individual case to be such that disclosure should initially be made only to the Director of Central Intelligence for his determination of the action to be taken, such procedure will be followed.

(3) Director of Medical Services. When medical findings warrant, the Director of Medical Services will recommend to the Director of Personnel the disability retirement of an employee or the termination of an individual's employment on grounds of medical disqualification. The Director of Medical Services will also advise the Director of Personnel of medical factors bearing on recommended separations.

(4) Director of Personnel. Subject to the consideration set forth in subparagraph 28c, the Director of Personnel will insure compliance with the procedures established by this paragraph and will take appropriate action or recommend action to the Director of Central Intelligence.

(f) Procedures.

(1) During the Trial Period. Upon receipt by the Director of Personnel of written notification from the Deputy Director concerned or the Head of the employee's Career Service that **STATINTL** an employee's performance, conduct or general character traits have been determined to be unsatisfactory during his trial period in accordance with HR the Director of Personnel or his designee will review the matter with that official or his designee. If upon such review the Director of Personnel concurs with the determination of the employee's shortcomings, he will terminate his employment.

(2) Following Completion of Trial Period

(a) Whenever a Head of Career Service proposes to recommend the separation of an employee under his jurisdiction, he or his representative will first review the case with the Director of Personnel or his designated representative, who, if appropriate, will review the case with the Director of Security or the Director of Medical Services to identify relevant security or medical factors.

(b) When a case is referred to the Director of Personnel with a recommendation that an employee be separated, the Head of Career Service or his representative will advise the employee concerned and inform him of the reasons for the recommended separation.

(c) Upon receipt of a recommendation from a Head of Career Service, or from any other Agency official authorized to make recommendations that an employee be separated, or on the basis of his own review of a personnel problem situation, the Director of Personnel or his designated representative will confirm to the employee that he is being considered for separation and will extend to him an opportunity to submit a written statement or to comment orally within 10 days.

(d) If the Director of Personnel decides not to recommend termination of the individual's employment following his review of the case, he will consult the Head of the Career Service or Deputy Director concerned as to another course of action. If the Director of Personnel concludes that termination of the individual's employment is to be recommended, he will advise the employee of that fact and forward the case to the Director of Central Intelligence for decision. In this event, the Director of Personnel will also notify the individual that he may file a written appeal of the termination recommendation with the Director within 10 days.

(e) Pursuant to his statutory authority, the Director may separate an employee immediately when he deems such action necessary or advisable in the interests of the United States. To the extent consistent with the interests of the United States, the procedures set

forth in the subparagraphs immediately above will normally be followed, although in certain cases they may be impracticable or inadvisable. The Director, therefore, may determine it to be in the interests of the United States to direct a termination without further action.

d. Are the methods of recruiting, selection, promotion, and removal considered to be based on merit principles? Yes, and this was confirmed recently when the Chairman of the Civil Service Commission advised the Director, Office of Management and Budget, "The Commission, recognizing the necessary qualifications and the caliber of persons holding career type appointments in the CIA, considers the non-competitive entry of such persons into the competitive service as compatible with merit system principles. The on-site observations of a Commission team assure us that the operations of the CIA personnel system are consistent with merit principles."

II a. 3.

Job Evaluation System and Qualification

Standards in CIA

The CIA follows a job evaluation system based on that established under the Classification Act of 1949. The basic occupational coding system established by the Civil Service Commission for Federal positions has been adapted to CIA positions. The position grades and grade definitions of the Classification Act are utilized, as well as the pay schedule, the step-rate system, premium pay rates and other benefits applicable to General Schedule employees.

Civil Service Commission position standards are used in the classification of CIA positions, to the extent that they are applicable. Agency position standards have been developed for positions not covered by CSC standards. These include supergrade positions, intelligence and operations officer, and various technical and support positions. Job comparison is a standard method used in classification where standards are not available. Internal comparison and comparison with positions outside the Agency are both used.

Qualification standards established by the Civil Service Commission are followed.

The Agency system provides for a periodic classification review of all positions at least once every three years, for accuracy of position levels and category, as well as for effective employee utilization.

The CIA was excepted from CSC classification system on August 8, 1949 by authorization of the CSC Chief, Personnel Classification Division.

Upon the enactment of Public Law 429-81st Congress, the "Classification Act of 1949" on October 28, 1949, the CIA was specifically exempted from Federal classification law.